

**CIVIL COVER SHEET**

Received: May 11, 2021

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

MARY JANE ANDERSON and CHASE ANDERSON

(b) County of Residence of First Listed Plaintiff Wood County, W.Va.  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Timothy C. Bailey, David A. Bosak, Bailey, Javins &amp; Carter, LC, 213 Hale Street, Charleston, WV 25301, (304) 345-0346

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |  |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question<br>(U.S. Government Not a Party)                     |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity<br>(Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

|   | PTF                                   | DEF                        | PTF   | DEF  |
|---|---------------------------------------|----------------------------|---|--|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

| CONTRACT   | TORTS  | FORFEITURE/PENALTY   | BANKRUPTCY   | OTHER STATUTES  |
|--|--|--|--|---|
| <input type="checkbox"/> 110 Insurance   | <b>PERSONAL INJURY</b>   | <b>PERSONAL INJURY</b>   | <b>422 Appeal 28 USC 158</b>   | <b>375 False Claims Act</b>   |
| <input type="checkbox"/> 120 Marine  | <input type="checkbox"/> 310 Airplane                              | <input type="checkbox"/> 365 Personal Injury - Product Liability         | <input type="checkbox"/> 423 Withdrawal 28 USC 157                     | <b>376 Qui Tam (31 USC 3729(a))</b>   |
| <input type="checkbox"/> 130 Miller Act  | <input type="checkbox"/> 315 Airplane Product Liability            | <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury | <b>INTELLECTUAL PROPERTY RIGHTS</b>                                    | <b>400 State Reapportionment</b>  |
| <input type="checkbox"/> 140 Negotiable Instrument                                   | <input type="checkbox"/> 320 Assault, Libel & Slander              | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability  | <input type="checkbox"/> 820 Copyrights                                | <b>410 Antitrust</b>  |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment       | <input type="checkbox"/> 330 Federal Employers' Liability          | <input type="checkbox"/> 370 Other Fraud                                 | <input type="checkbox"/> 830 Patent                                    | <b>430 Banks and Banking</b>  |
| <input type="checkbox"/> 151 Medicare Act  | <input type="checkbox"/> 340 Marine                                | <input type="checkbox"/> 371 Truth in Lending                            | <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application | <b>450 Commerce</b>   |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 345 Marine Product Liability              | <input type="checkbox"/> 380 Other Personal Property Damage              | <input type="checkbox"/> 840 Trademark                                 | <b>460 Deportation</b>  |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits           | <input checked="" type="checkbox"/> 350 Motor Vehicle              | <input type="checkbox"/> 385 Property Damage                             | <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016          | <b>470 Racketeer Influenced and Corrupt Organizations</b>                   |
| <input type="checkbox"/> 160 Stockholders' Suits                                     | <input type="checkbox"/> 355 Motor Vehicle Product Liability       | <input type="checkbox"/> 390 Other Product Liability                     | <b>SOCIAL SECURITY</b>   | <b>480 Consumer Credit (15 USC 1681 or 1692)</b>                            |
| <input type="checkbox"/> 190 Other Contract  | <input type="checkbox"/> 360 Other Personal Injury                 | <input type="checkbox"/> 400 Other Labor Standards Act                   | <input type="checkbox"/> 861 HIA (1395ff)                              | <b>485 Telephone Consumer Protection Act</b>                                |
| <input type="checkbox"/> 195 Contract Product Liability                              | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <input type="checkbox"/> 410 Labor/Management Relations                  | <input type="checkbox"/> 862 Black Lung (923)                          | <b>490 Cable/Sat TV</b>   |
| <input type="checkbox"/> 196 Franchise   |  | <input type="checkbox"/> 420 Railway Labor Act                           | <input type="checkbox"/> 863 DIWC/DIWV (405(g))                        | <b>850 Securities/Commodities/ Exchange</b>                                 |
|  |  | <input type="checkbox"/> 430 Family and Medical Leave Act                | <input type="checkbox"/> 864 SSID Title XVI                            | <b>890 Other Statutory Actions</b>  |
|  |  | <input type="checkbox"/> 440 Other Labor Litigation                      | <input type="checkbox"/> 865 RSI (405(g))                              | <b>891 Agricultural Acts</b>  |
|  |  | <input type="checkbox"/> 791 Employee Retirement Income Security Act     | <b>FEDERAL TAX SUITS</b>   | <b>893 Environmental Matters</b>  |
|  |  |  | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)       | <b>895 Freedom of Information Act</b>                                       |
|  |  |  | <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609               | <b>896 Arbitration</b>  |
|  |  |  |  | <b>899 Administrative Procedure Act/Review or Appeal of Agency Decision</b> |
|  |  |  |  | <b>950 Constitutionality of State Statutes</b>                              |

**V. ORIGIN** (Place an "X" in One Box Only)

- |  |  |  |   |  |  |   |
|--|--|--|---|--|--|---|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|--|--|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. 1441, 28 U.S.C. 1332**VI. CAUSE OF ACTION**Brief description of cause:  
Personal Injury/Motor Vehicle Accident**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

5/11/2021

/s/ Julie A. Brennan

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE